

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

VEECO INSTRUMENTS INC.

Plaintiff,

v.

SGL CARBON, LLC, and
SGL CARBON SE

Defendants

C.A. No. 1:17-cv-2217-PCK-JO

**NOTICE OF SERVICE OF DEFENDANT SGL CARBON, LLC'S
OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND
OPPOSITION TO PLAINTIFF'S MOTION FOR EXPEDITED DISCOVERY**

WHEREAS this Court's Individual Rules and Practices No. 3.D encourages parties not to file their motion papers until the motion has been fully briefed, as a courtesy to the Court;

WHEREAS Plaintiff Veeco Instruments Inc. ("Veeco") and Defendant SGL Carbon, LLC ("SGL") jointly filed a Stipulation and [Proposed] Order Regarding Filing Deadline of Defendant SGL Carbon, LLC's Opposition to Plaintiff's Motion for Preliminary Injunction (D.I. 23, the "Stipulation") on August 24, 2017, under which the Parties stipulated that (1) SGL's oppositions to Plaintiff's Motion for Preliminary Injunction (D.I. 23) and Motion for Expedited Discovery (D.I. 21), along with all supporting materials, shall be served on Veeco on August 25, 2017 but shall be filed with the Court on September 1, 2017; and (2) the remainder of the schedule set by the Court and agreed to by the Parties shall not be otherwise affected;

WHEREAS the Stipulation is pending before the Court, and the Parties are awaiting the Court's approval or other guidance regarding the Stipulation;

WHEREAS SGL's oppositions to Veeco's Motion for Preliminary Injunction (D.I. 23) and Motion for Expedited Discovery (D.I. 21), and all of SGL's supporting memoranda of law, declarations, and exhibits are ready to be filed with the Court, subject to the Court's guidance;

I, David C. Radulescu, hereby certify that on August 25, 2017, copies of the following documents were caused to be served via electronic mail, a stipulated method of service, upon counsel of record for Veeco:

Defendant SGL Carbon, LLC's Opposition To Plaintiff's Motion For Preliminary Injunction;

Declaration of Dr. Kenneth S. Serwin In Support of Defendant SGL Carbon, LLC's Opposition To Plaintiff Veeco Instruments Inc.'s Motion For Preliminary Injunction, and Appendices A and B attached thereto;

Declaration of Dr. Eric Bretschneider In Support of Defendant's Opposition To Veeco's Motion For Preliminary Injunction, and Exhibits 1-3 attached thereto;

Declaration of Christoph Henseler, and Exhibits 1-12 attached thereto;

Declaration of David C. Radulescu, Ph.D. In Support of Defendant's Opposition To Veeco's Motion For Preliminary Injunction, and Exhibits 1-52 attached thereto; and

Defendant's Opposition To Plaintiff's Motion For Expedited Discovery, and Exhibits 1-4 attached thereto.

Dated: August 25, 2017

Respectfully submitted,

/s/ David C. Radulescu

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Counsel for Defendant SGL Carbon, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of August 2017, the foregoing document was filed with the Court and served in accordance with the Federal Rules of Civil Procedure and Local Civil Rule 5.2(a) upon all parties and participants who have registered for service via the Court's CM/ECF system.

/s/ David C. Radulescu
David C. Radulescu, Ph. D.